

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, December 12, 2011

Those Present: Mr. James E. McClellan, Chairman
Mr. Charles R. Cline, Board Member
Mr. Richard E. Zimmerman, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Ms. Kathy L. Vahle, Administrator
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mrs. Sandra Rees, Administrative Specialist IV
Mrs. Penny Bussard, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:45 am by Chairman McClellan.

1. **Orioles Nest** – Ms. Vahle stated that there was a request from this establishment that was approved by the Board to be closed for 15 days, they would like to extend their closing for an additional 30 days to clean and paint. They have replaced Mr. Ellis with a new manager. The Board approved the 30 day extension but will need a new schedule for their hours.
2. **Fishing Creek General Store** – Ms. Vahle stated that this establishment requested a Sunday Permit so they may sell liquor on Sundays. The Board approved this request.
3. **AMVETS Post 2** – Ms. Vahle stated this establishment requested to use their own discretion as to when they can open and close. The Board did not approve this request. They will still have the option to change their hours as needed with notification.
4. **Kerrigan's Liquors** – Ms. Vahle stated this establishment requested to be closed from January 1 until March 1, 2012 to do cosmetic work inside and out. The Board approved this request.
5. **The Frederick Wine Haus** – Ms. Vahle stated that this application had been approved some time ago. One of the applicants requested to terminate the application and the application was cancelled. The partner in the LLC has requested to reinstate this application. Mrs. Thall stated that the application can be revived. The Liquor Inspector stated that there was no renovation done so far. The Board approved this request but this establishment will

have to be in operation by February 28, 2012 or the application is void.

6. **DJ Liquors** – Ms. Vahle discussed the letter from Mr. Heffner with the Board regarding the disposition of the bankruptcy hearing. The Board will go forward with the Violation Hearing.
7. **Violation Hearings** – Mr. Cline asked Mrs. Thall the difference between our Violation Hearings and the Court Hearings regarding hearsay evidence.
8. Decision Required: New

RE: John M. Tregoning Jr. and
 Vincent Cheng
 for the use of Taste of Asia
 USA LLC
 t/a Taste of Asia Hibachi
 7820 Worman's Mill Rd.
 Suite X
 Frederick, MD 21701
Class B, On Sale, Beer, Wine and Liquor

The Board held a hearing for a new license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: The Occupancy Permit, the Fire Marshal inspection, Health Department approval, Retail Sales Tax license, Workman's Compensation Insurance, Exhibits A and B to verify the address on the lease and the Liquor Inspector's Report. Mr. Brooks, attorney stated that the establishment is still under construction.

MOTION ONE: Mr. Cline made a motion for a conditional approval for February 28, 2012 or May 1, 2012.

SECOND: Mr. Zimmerman seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Cline – Aye
 Mr. Zimmerman – Aye
 Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

9. Decision Required: New

RE: Joseph Fronzaglio, Debra
Fronzaglio, Charles Carrol,
and Carlos Interiano
for the use of Old Town
Diner II, Inc.
t/a Old Town Diner II
1450 W. Patrick St.
Frederick, MD 21702

Class B, On Sale, Beer and Light Wine

The Board held a hearing for a new license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). There was a previous request for a Power of Attorney for Carlos Interiano approved by the Board. The pending items are: the Occupancy Permit, Fire Marshal inspection and Alcohol Awareness. The Liquor Inspector stated they are compliant.

MOTION ONE: Mr. Cline made a motion for a conditional approval for 30 days.

SECOND: Mr. Zimmerman seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Cline – Aye
Mr. Zimmerman – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

10. Decision Required: Approval of the Amended Public Meeting Minutes for October 3, 2011, Minutes of the Public Meeting for October 24, 2011, Minutes of the Public Meeting for November 7, 2011 and the Minutes of the Public Meeting for November 14, 2011 to be voted on by the Board.

The Public Meeting Minutes of October 3, 2011, Minutes of the Public Meeting for October 24, 2011, Minutes of the Public Meeting

for November 7, 2011 and the Minutes of the Public Meeting for November 14, 2011 were approved.

MOTION: Mr. Zimmerman made a motion to approve the minutes for October 3, 2011, October 24, 2011, November 7, 2011 and November 14, 2011.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Cline – Aye
Mr. Zimmerman – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

11. **Liquor Inspector** – City Alderman Krimm discussed with the Board the issue regarding hiring a new Liquor Inspector for the City of Frederick.
12. **Orioles Club** – The licensees appearing on the license appeared to discuss with the Board the approval for being closed for an additional 30 days and to introduce Mr. Fellowes, their new manager.

ADJOURN

The meeting was adjourned at 9:53 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees